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**RESPONSE UNDER 37 C.F.R. §1.116  
- EXPEDITED PROCEDURE-  
EXAMINING GROUP 2665**

ATTORNEY DOCKET NO: S01022.80338


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Neil RICHARDS, Gajinder Singh PANESAR, John CAREY, and Peter THOMPSON  
Serial No: 09/413,644  
Filed: October 6, 1999  
For: DATA TRANSMISSION APPARATUS FOR TRANSMITTING ATM DATA STREAMS (formerly DATA TRANSFER)  
  
Examiner: Justin M. Philpott  
Art Unit: 2665 Conf. No.: 2260

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 1<sup>st</sup> day of December, 2004.

  
Eileen MacKenzie

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**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- ☒ Notice of Appeal
- ☒ Petition For A Three Month Extension of Time
- ☒ Return Receipt Postcard

Serial No.: 09/413,644  
Conf. No.: 2260

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Art Unit: 2665

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

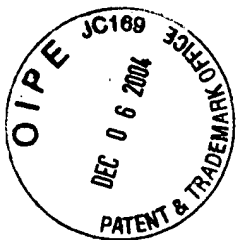
A check in the amount of \$1,210.00 is enclosed in payment of the \$340.00 Appeal fee and the \$870.00 extension fee which is the difference between a three month extension of time and a one month extension of time previously paid for. If the enclosed fee is insufficient, the balance may be charged to the account of the undersigned, Deposit Account 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

*Neil RICHARDS, Gajinder Singh  
PANESAR, John CAREY, and Peter  
THOMPSON, Applicant*

By: William R. McClellan  
William R. McClellan, Reg. No. 29,409  
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600 Atlantic Avenue  
Boston, Massachusetts 02210-2206  
Telephone: (617) 646-8000

Docket No.: S1022.80338US00  
Date: December 1, 2004  
x12/01/04x



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Eileen MacKenzie

**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**NOTICE OF APPEAL**  
**TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated June 1, 2004 rejecting claims 1, 3-5, and 8-20.

Serial No.: 09/413,644  
Conf. No.: 2260

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Art Unit: 2665

The Appeal Fee of \$340.00 as set forth in 37 C.F.R.41.20(b)(1) is enclosed. If the fee is insufficient, the balance may be charged to the account of the undersigned, Deposit Account No. 23/2825.

Respectfully submitted,

*Neil RICHARDS, Gajinder Singh  
PANESAR, John CAREY, and Peter  
THOMPSON, Applicant*

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